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Co-Lead Counsel for Plaintiff Class

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF JAMES G.
DALLAL RE: EXTENSION OF TIME
TO FILE DUE TO TECHNICAL
FAILURE PURSUANT TO CIVIL
LOCAL RULE 5-1(e)(5)**

Date: N/A
Time: N/A
Courtroom: 8, 4th Floor
Judge: The Honorable Lucy H. Koh

I, JAMES G. DALLAL, hereby declare and state as follows:

1. I am an attorney with the Joseph Saveri Law Firm, Co-Lead Counsel for Plaintiffs and the proposed Class. I am a member of the State Bar of California, and am admitted to practice

1 before the United States District Court for the Northern District of California. I make this
2 declaration based on my own personal knowledge. If called upon to testify, I could and would
3 testify competently to the truth of the matters stated herein.

4 2. Friday, May 24, 2013 marked the deadline for the parties in the instant action to
5 file their most recent Joint Discovery Status Report pursuant to the Court's April 1, 2013 Case
6 Management Order (Dkt. 380). On that date, the parties met and conferred and agreed shortly
7 after 5:00 p.m. to a final version of the Status Report. Counsel for all parties agreed that Plaintiffs
8 would submit the document to the Court's Electronic Case Filing (ECF) system, and I represented
9 that I would submit the document on behalf of all parties.

10 3. Shortly following the parties' agreement to a final version, I attempted to log in to
11 the Court's ECF system without success. I attempted to log in via a direct link to the ECF login
12 page and via the Northern District of California homepage, and repeated this exercise using both
13 Mozilla Firefox and Microsoft's Internet Explorer. I repeated my attempts to log in to the ECF
14 system via both Web addresses using both Web browsers at approximately 5:44 p.m., 6:36 p.m.,
15 7:05 p.m., and periodically throughout Friday evening. On each attempt, the Web browser failed
16 to download the page requested and instead returned an error message.

17 4. The Joint Discovery Status Report to which this declaration attached is the exact
18 PDF file I had intended to upload as described in the previous paragraph, with no changes. But
19 for the time stamp, it appears exactly as it would have had it been filed on Friday, May 24, 2013.

20 I declare under penalty of perjury under the laws of the United States that the foregoing is
21 true and correct.

22 Executed May 28, 2013, in San Francisco, California.

23
24
25 By: /s/ James G. Dallal
26 James G. Dallal
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